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minds both these ignoble prejudices, and bestow respect wherever we recognize merit. Let us pay most deference where we meet most desert, and allow most influence to those who use it best." — pp. 245 – 247.

ART. XI. — CRITICAL NOTICES.

1. — *A Gross Literary Fraud Exposed; relating to the Publication of Worcester's Dictionary in London.* Boston: Jenks, Hickling, & Swan. 1853. 8vo. pp. 24.

THE want of an international copyright law between England and America has exposed the authors and the purchasers of books in both these countries to many gross frauds, of which the one exposed in this pamphlet is the most flagitious that has fallen under our notice. We cannot explain the nature of it better than by *supposing a case*, in which all the circumstances shall be the same, though the names of the parties are changed, and their residences transferred, so as to shift the locality of the fraud from one country to the other.

Mutato nomine de te fabula narratur.

Sir James Mackintosh and Mr. T. B. Macaulay have both written a history of the reign of James II. of England, the work of the former being, however, an imperfect and posthumous publication, which appeared some years before Mr. Macaulay's issued from the press. Now let us suppose that some envious and malignant critic — say Mr. Croker, in the *Quarterly Review* — had falsely charged Mr. Macaulay with borrowing his materials very freely from Mackintosh, and making no acknowledgment of the debt. Suppose further, that Macaulay immediately proved, by unquestionable evidence, that this charge was not only groundless, but absurd, and also declared, in the preface to his book, that he had not borrowed a statement, or even a single word, from the work which he had been accused of using so unfairly. Some worthy American bookseller, willing to turn a penny by any means, and to exemplify the proverbially dishonest and grasping disposition of his countrymen, purchases in England a complete set of the stereotype plates of Macaulay's History, and forthwith issues an edition of it in Boston, with the following title: — "*A History of England under James II., compiled*

from the Materials of SIR JAMES MACKINTOSH. By THOMAS BABINGTON MACAULAY." That the preface may not contradict this veracious title-page, the honest bibliopoliſt garbles it, leaving out, among other things, the very poſitive aſſertion juſt mentioned.

If this ſuppoſed caſe were a real one, what a ſtorm of indignation would burſt from the London periodical preſs! The *Times* would diſcharge its heavy artillery with tremendous effect againſt the audacity of the American "book-pirates," who had contrived at laſt, with characteristic ingenuity, to unite the guilt of ſlander, fraud, and forgery in a ſingle tranſaction. The *Examiner* would attempt to be ſmart, and, borrowing its wit as uſual, would compare the American book-pirates aforeſaid to the Gypsies, who not only ſteal children, but diſfigure them to prevent them from being recognized; and its article would end in the cuſtomary way, by belaboring Brother Jonathan for the atrocious manner in which he had conducted himſelf towards its friend Mr. Dickens.

But we have not yet finiſhed our account of the *ſuppoſed caſe*, though the ſcene of the ſtory muſt now, we are ſorry to ſay, be ſhifted to the other country. Imagine, then, that the publiſhers of Mackintosh's *History*, anxious to retrieve the popularity of their work, which had ſuffered a little from the ſucceſs of its rival and from the confutation of the unfounded charge, ſhould advertise in the London newspapers the fact that "an edition of Macaulay's *History* has recently been publiſhed in Boſton, and ſought to be pushed there, in which the aſſertion we have cited from the Preface is carefully ſuppreſſed, and the work is advertised as Mackintosh's *History*, enlarged and revised by Macaulay. On the title-page, Mackintosh is placed firſt, in large type, and Macaulay follows in another line, in ſmaller type." So barefaced an attempt as this to revive a ſtale and exploded calumny, on the ſtrength of an unauthorized act of a foreign book-pirate, and to injure the reputation of Macaulay by declaring that his work could not be ſold in Boſton if it were not openly admitted to be Mackintosh's *History*, merely revised and enlarged by his rival, would call forth the indignant reprobation of every honorable or honeſt man who was acquainted with the facts in the caſe.

Our parable is now told, and its interpretation is eaſy. Mr. Henry G. Bohn, an Engliſh publiſher who has acquired an unenviable notoriety among his brethren of the Row, has had the effrontery, after purchaſing in Boſton a ſet of the stereotype plates of Mr. J. E. Worceſter's "Universal and Critical Dictionary of the Engliſh Language," to publiſh an edition of it in London, under the following title:—"A Universal, Critical, and Pronouncing Dictionary of the Engliſh Language: including Scientific Terms, compiled from the *Materials of Noah Web-*

ster, LL.D. By Joseph E. Worcester. New Edition, to which are added Walker's Key," &c. This mendacious title-page is prefixed to a work in the preface to which, "with respect to Webster's Dictionary," Mr. Worcester distinctly asserts that "he is not aware of having taken a single word, or the definition of a word, from that work in the preparation of this," — an assertion which has never been disproved, or even explicitly denied. Of course, Mr. Bohn garbles the preface, and leaves out this important statement, which directly contradicts his title-page. We leave our readers to characterize the whole transaction by any terms which they think it deserves.

We are sorry not to be able to stop here ; but the American part of the story must also be told. The publishers of Webster's Dictionary in this country, in their eagerness to injure the reputation of a rival work, publish in the newspapers an account of this audacious proceeding of an English publisher, leaving it to be inferred that his act was properly sanctioned, and thus that the charge of plagiarism, once formally denied by Mr. Worcester, had now been openly acknowledged, or at least that it had once more been preferred against him by competent authority. Another inference which might be drawn from this unexplained announcement of Mr. Bohn's proceeding, is equally injurious and unfounded, — that the proprietors of Mr. Worcester's Dictionary had attempted to force it upon the English market by borrowing for it the name and authority of Dr. Webster. It is to defend himself against these calumnious imputations, that Mr. Worcester has published the correspondence contained in this pamphlet. And never were refutation and exposure more effectual.

The charge of plagiarism has never been directly made, so far as we are aware, against Mr. Worcester's larger work, the "Universal and Critical Dictionary," which was first published in 1846. Dr. Webster died in 1843. About eight years before his death, he was ill-advised enough to sanction, if not to originate, such a charge against Mr. Worcester, in reference to a smaller work, then recently published by the latter, entitled "A Comprehensive Dictionary." When required to produce his proofs, he gave a list of one hundred and twenty-one words, "which, *primâ facie*," he said, "would seem to have been taken from my Dictionary." We can find room but for a small part of Mr. Worcester's very cool and conclusive reply.

"You evidently supposed, Sir, that none of the words in your list were to be found in any Dictionary that was published before the appearance of your work ; but I confess I am somewhat surprised at this fact, inasmuch as, from your reputation as a lexicographer, it might naturally be supposed that you were extensively acquainted with works of this sort, and especially with

the works which are so well known to all persons who have any just pretensions to much knowledge of this kind of literature, as are the several publications which I shall name. I shall not go out of my own library, or mention any work that I was not in the habit of consulting in preparing my Dictionary.

“Of the *one hundred and twenty-one* words in your list, *eighteen* are found in an edition of Bailey’s Dictionary, published more than a century ago, and *twenty-one* in a later edition; *thirty-five*, in Ash’s Dictionary, published in 1775; *thirty-seven*, in Todd’s Johnson’s Dictionary combined with Walker’s, edited by *J. E. Worcester*, and published before the appearance of yours; *twenty-one*, in Mr. Pickering’s Vocabulary, published in 1816; not less than *thirty* in the Encyclopædia Americana, and nearly as many in Brewster’s New Edinburgh Encyclopædia; — and in these several works, upwards of *ninety* of the words are found, and many of them several times repeated. I have, in addition to the works above mentioned, about fifty English Dictionaries and Glossaries, in a majority of which I have ascertained that more or less of the words in question are to be found, but I have not leisure, at present, to go through a minute examination of them.

“Of your hundred and twenty-one words, *six* or *seven* are not to be found, so far as I can discover, in your Quarto Dictionary, and one of them is one of those *three thousand words* which are contained in Todd’s Johnson’s Dictionary, but are *not* to be found in your great work, and which were inserted by me in the octavo abridgment of your Dictionary. Whether any of the others are among the words which were inserted in the abridgment at my suggestion, I cannot say with certainty. . . .

“You seem also to have overlooked the circumstance that there are, besides Dictionaries, other sources for obtaining words, which are open to me, as well as to you; and if my success in finding words *out of* Dictionaries should bear as good a comparison with yours, as it seems to bear in finding the words in question *in* them (I only put the case hypothetically), it would not appear very wonderful, if I were able to find the few remaining words without any assistance from your labors. Of the hundred and twenty-one words, you have given authorities, in your Dictionary, for only thirty-nine; but I can, without going out of my own library, furnish authorities, in all cases different from yours, for upwards of a hundred of them.” — pp. 22, 23.

In his subsequent letters, as might have been expected, Dr. Webster did not specify any more words as borrowed from him; and the accusation thus effectively disposed of was never revived in such a manner as to demand further notice. In the preface to his larger work, first published eleven years afterwards, Mr. Worcester took the precaution, as we have seen, to state distinctly, that, in preparing it, he had foregone all the benefit which might have been derived from the materials in Dr. Webster’s Dictionary, that he might not give the least occasion for the charge of plagiarism to be repeated. Whether such an act of a London publisher as the one which we have commented upon affords any excuse for repeating the charge by insinuation at this late day, is a question which every honest man can answer for himself.